

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
<b>WILLIAM F. CROWELL</b>	)	WT Docket No. 08-20
	)	
Application to Renew License for Amateur	)	FCC File No. 0002928684
Radio Service Station W6WBJ	)	
	)	

To: Marlene H. Dortch, Secretary  
Attn: The Commission

**ENFORCEMENT BUREAU'S OPPOSITION TO  
CROWELL'S MOTION FOR A FIELD HEARING**

1. On March 30, 2017, applicant William F. Crowell (Crowell) filed a motion requesting that the Presiding Judge set a field hearing in the above-captioned matter in the Sacramento, California area, asserting that Crowell does not have the means to travel to Washington, D.C.<sup>1</sup> For the reasons discussed below, the Acting Chief, Enforcement Bureau, through his attorneys, respectfully opposes Crowell's Motion.

2. Section 1.253 of the Commission's rules generally provides that a field hearing may be conducted if ordered by the Commission.<sup>2</sup> There is no right, however, to a field hearing.<sup>3</sup> Commission policy in scheduling local hearings is founded upon public interest considerations.<sup>4</sup> Here, Crowell's Motion offers no public interest justification for holding the

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<sup>1</sup> See Licensee's Motion for a Field Hearing [47 CFR, Chapter I, Subchapter A, Part 1, Subpart B, Sec. 1.253] (filed Mar. 30, 2017) ("Motion").

<sup>2</sup> See 47 C.F.R. § 1.253.

<sup>3</sup> See, e.g., *In re Applications of United Broadcasting Company (KBAY-FM) San Jose, California For Renewal of License Public Communicators, Inc. San Jose, California For Construction Permit*, Decision, 93 FCC2d 482, 488, para. 15 (1983).

<sup>4</sup> See *id.*

hearing in Sacramento.

3. Rather, the public interest would be better served by holding the hearing (and any prehearing conferences) in this case at the Commission's headquarters in Washington, D.C. Enforcement Bureau (Bureau) counsel assigned to this case, the Presiding Judge, and all of the Office of the Administrative Law Judge staff are all located in Washington, D.C. In addition, all of the Bureau's evidence identified to date is located in the Commission's headquarters in Washington, D.C. Crowell's unsubstantiated allegation that he does "not have the means to travel to Washington, D.C."<sup>5</sup> is insufficient to justify requiring the public to incur the additional expense of conducting the hearing in this case in Sacramento.

4. Accordingly, the Bureau respectfully opposes the Crowell's Motion.

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<sup>5</sup> Motion at 2.

Respectfully submitted,

Michael Carowitz  
Acting Chief, Enforcement Bureau

A handwritten signature in dark ink, appearing to read "Pamela S. Kane", is written over a horizontal line.

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April 3, 2017


## CERTIFICATE OF SERVICE

Pamela S. Kane certifies that she has on this 3rd day of April, 2017, sent copies of the foregoing "ENFORCEMENT BUREAU'S OPPOSITION TO CROWELL'S MOTION FOR A FIELD HEARING" via email to:

The Honorable Richard L. Sippel  
Chief Administrative Law Judge  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554 (by hand, courtesy copy)

Rachel Funk  
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Federal Communications Commission  
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